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Attorneys for Defendant
ACE AMERICAN INSURANCE COMPANY

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

WOODCLIFF LAKE BOARD OF
EDUCATION,

Plaintiff,

v.

ACE AMERICAN INSURANCE
COMPANY,

Defendant.

Civil Action No.: 2:11-cv-02704 (SRC)

**NOTICE OF MOTION TO DISMISS THE
COMPLAINT, OR IN THE ALTERNATIVE
STAY THE ACTION, AND TO COMPEL
ARBITRATION**

To: Stephen R. Fogarty, Esq.
Fogarty & Hara, Esqs.
16-00 Route 208 South
Fair Lawn, NJ 07410.
Attorneys for the Plaintiff
Woodcliff Lake Board of Education

PLEASE TAKE NOTICE, that on July 5, 2011, or as soon thereafter as counsel may be heard, counsel for Defendant ACE American Insurance Company, will apply to the United States District Court for the District of New Jersey, Martin Luther King Courthouse, 50 Walnut Street, Newark, New Jersey, for an Order dismissing Plaintiff's Complaint pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure or in the alternative to stay the action, and to compel arbitration;

PLEASE TAKE FURTHER NOTICE that, in support of this motion, Defendant shall rely upon the enclosed memorandum of law and the Certification of Daniel Pickett together with the accompanying exhibits.

PLEASE TAKE FURTHER NOTICE that oral argument is requested. A proposed order is submitted herewith.

Dated: New York, New York
June 1, 2010

SEDGWICK LLP

By: 

Daniel Pickett

Joseph K. Powers (pro hac vice pending)

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